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**RULE 116 AMENDMENT  
RESPONSE TO FINAL REJECTION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kenneth M. Buckland et al.  
Serial No.: 09/414,082  
Filing Date: October 6, 1999  
Group Art Unit: 2665  
Examiner: Justin M. Phillpott  
Title: METHOD FOR USING A PRE-CONFIGURED TDM  
SWITCH AND TRAFFIC DISCARD TO  
FACILITATE UPSR SELECTION

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DEC 30 2003

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**MAIL STOP AF**

Honorable Commissioner  
for Patents  
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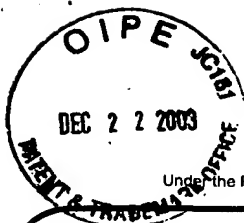
Name

*December 17, 2003*

Date of Signature

**REQUEST FOR CONTINUED EXAMINATION**

In response to the Final Office Action mailed September 23, 2003 and to the Request for Interview Summary mailed November 17, 2003, Applicants respectfully request the Examiner to reconsider the rejection of the claims in view of the following Amendments thereto, and the comments as set forth below. Please amend the Application as follows.



REE/2665  
27008

Approved for use through 10/31/2002. OMB 0651-0031  
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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/414,082
Filing Date	October 6, 1999
First Named Inventor	Kenneth M. Buckland
Group Art Unit	2665
Examiner Name	Justin M. Phillpott
Attorney Docket Number	062891.0340

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

### a. ☐ Previously submitted

- i. ☐ Consider the amendment/reply under 37 C.F.R. § 1.116 previously filed on **RECEIVED**  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on **DEC 30 2003**
- iii. ☐ Other

### b. ☒ Enclosed

- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS) with PTO-1449 form and seven (7) references
- iv. ☐ Change of Correspondence

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## 2. Miscellaneous

### a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months.

(Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.117(i) required)

### b. ☒ Baker Botts L.L.P. return receipt postcard

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

### a. ☐ The Director is hereby authorized to charge any fees or credit any overpayments, to Deposit Account No. 02-0384 of Baker Botts L.L.P.

- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other

### b. ☒ Check in the amount of \$770.00 enclosed

### c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## CERTIFICATE OF MAILING OR TRANSMISSION

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Name (Print / Type)	Donna Ulbik		
Signature		Date	12/17/2003
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print / Type)	Barton E. Showalter	Registration No. (Attorney/Agent)	38,302
Signature		Date	Dec. 17, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.